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June 12, 2023

BY ECF

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Nunez, et al. v. City of New York et al*, 11-cv-5845 (LTS)

Dear Chief Judge Swain:

I am a Senior Counsel in the office of the Corporation Counsel of the City of New York (the “City”), Hon. Sylvia O Hinds-Radix, assigned to represent the City in this matter. I write to respond to a portion of the Monitor’s Special Report of June 8, 2023 (the “Report”).

The City writes to address the Monitor’s assertion that certain statements made by the City’s counsel to the Court were “incomplete, misleading or contain factual inaccuracies.” Report at 23-26. The New York City Law Department treats its ethical obligations and duties to the Court as its paramount responsibility. Even when acting as zealous advocates, the Law Department’s attorneys would not knowingly make any misrepresentations to the Court, and we have not done so in this matter. The City is continuing to review the specific issues raised by the Monitor, and will update the record in the future if necessary to do so.

We thank the Court for its consideration of this matter.

Respectfully submitted,

Alan H. Scheiner /s/ /
Alan H. Scheiner
Senior Counsel

cc: BY ECF
All counsel of record